



# BEST AVAILABLE COPY

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : John Cambray et al.  
Serial No. : 09/835,112  
Filed : April 13, 2001  
For : System and Method for Performing Real  
Time Monitoring and Control of an  
Interactive Network Server  
Attorney's Docket : CABINTCH-001XX  
Examiner : Mary Benton  
Group Art Unit : 2131

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450 on February 28, 2005.

By   
Paul J. Kroon, Jr., Esq.  
Registration No. 51,902  
Attorney for Applicants

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## DECLARATION UNDER 37 CFR 1.131 OF Paul J. Kroon, Jr., Esq.

Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Paul J. Kroon, Jr., Esq., hereby declare that:

1. I am an attorney for the Applicants' in the above-identified patent application
2. I have reviewed the file for the above-identified patent application.
3. On April 13, 2001, the above-identified patent application, Serial No. 09/835,112 entitled SYSTEM AND METHOD FOR PERFORMING

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REAL TIME MONITORING AND CONTROL OF AN INTERACTIVE NETWORK SERVER, was filed.

4. On information and belief, the Law Offices of Davis and Bujold were patent counsel for the above-identified patent application prior to Dec 14, 2000.
5. On information and belief, Gary D. Clapp, Esq. from the Law Offices of Davis and Bujold, emailed a draft application of the above-identified patent application to Michael J. Bujold, Esq. from the Law Offices of Davis and Bujold prior to Dec 14, 2000.  
A redacted copy of this email is attached as Exhibit A.
6. On information and belief, subsequent to said email from Gary D. Clapp, Esq. to Michael J. Bujold, Esq. but prior to Dec 14, 2000, Tracy Clark from the Law Offices of Davis and Bujold, emailed a draft application of the above-identified patent application to Daniel J. Bourque, Esquire as an attachment. A redacted copy of this email is attached as Exhibit A.
7. On information and belief, subsequent to the email from Tracy Clark to Daniel J. Bourque, Esq. but prior to Dec 14, 2000, Michael J. Bujold, Esq. from the Law Offices of Davis and Bujold mailed a letter to Daniel J. Bourque, Esquire stating

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that John Cambray, one of the named inventors in the above-identified patent application, requested that the above-identified patent application be transferred to Bourque & Associates, P.A. A redacted copy of letter is enclosed as Exhibit B.

8. On information and belief, there was due diligence prior to December 14, 2000 until the filing date of the above-identified patent application.
9. On information and belief, the above-mentioned acts were carried out in the United States.
10. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true, and that the foregoing statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that my willful false statements or the like may jeopardize the validity of the above-identified patent application or any patent issued thereon.

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Respectfully submitted,



Paul J. Kroon, Jr., Esq.  
Registration No. 51,902  
Attorney for Applicants

Date: February 28, 2005

**Heather**

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**From:** Dan  
**Sent:**  
**To:** Heather  
**Subject:** FW: draft of CabinTech application to date

would you please set up a new client, cabintch (note no "e" to keep 8 characted limit) 001XX title SYSTEM AND METHOD FOR MONITORING NETWORK ACTIVITY" address as per letter re davox-149xx; copy pat on this too please. thnks

-----Original Message-----

**From:** Tracy Clark [mailto:[tclark@davisandbujold.com](mailto:tclark@davisandbujold.com)]  
**Sent:**  
**To:** Dan Bourque  
**Subject:** Fw: draft of CabinTech application to date

Dan,

Please contact us if you do not receive the attachment in its entirety.

Tracy

-----Original Message-----

**From:** Gary D. Clapp <[gdclapp@mediaone.net](mailto:gdclapp@mediaone.net)>  
**To:** Michael Bujold <[patent@davisandbujold.com](mailto:patent@davisandbujold.com)>  
**Date:** 1  
**Subject:** draft of Cabin Tech application to date

Mike - The attached is a copy of the draft of the CabinTech application to this point. I will send a copy of most of the figures tomorrow, and a copy of everything to CabinTech so that they can start reading and correcting the specification. Gary

John Cambrey, President  
CabinTech Software, Inc.  
110 Daniel Webster Highway  
Nashua, NH 03060

ANTHONY G.M. DAVIS  
(ADMITTED IN NY ONLY)  
CHARTER PATENT AGENT (U.K.)  
EUROPEAN PATENT ATTORNEY

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(ADMITTED IN NH & ME)

NEAL E. FRIEDMAN  
(ADMITTED IN MA)

SCOTT DANIELS  
(ADMITTED IN NH)

LAW OFFICES  
**DAVIS AND BUJOLD**

FOURTH FLOOR

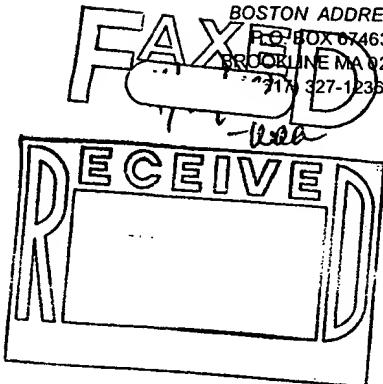
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DONALD A. STRECK  
(1936 - 1996)

OF COUNSEL  
GARY D. CLAPP  
(ADMITTED IN MA)

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Daniel Bourque  
835 Hanover St.  
Suite 303  
Manchester, NH 03104

PLEASE IMMEDIATELY RETURN THIS

COPY TO ACKNOWLEDGE RECEIPT!!!

RE: New U.S. Patent Application of  
Cabintech Software, Inc.  
Our ref: CABSOF P01AUS

Dear Dan:

Our office was requested by John Cambray of Cabintech Software, Inc. to transfer the above identified matter to your office for further handling. Please confirm that your office is assuming all further responsibility concerning preparation, filing and prosecution of the above identified matter and that Davis and Bujold has no further responsibility whatsoever concerning this case.

For your convenience, you may acknowledge the same by checking the box on the lower portion of the enclosed copy of this letter, date and sign that copy and, thereafter, return the same to our office. If you have any questions concerning the above, please contact our office.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Bujold".

Michael J. Bujold

MJB:lfb

cc: John Cambray

- The firm of Davis and Bujold has no further responsibility whatsoever concerning this case.

By: \_\_\_\_\_

Date: \_\_\_\_\_

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